

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

ANDERSON KELLY, #110252

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:06cv160HTW-JCS

ALICIA BOX AND SHERRY ROBINSON

DEFENDANTS

SECOND ORDER TO SHOW CAUSE

On March 21, 2006, the plaintiff filed a complaint pursuant to 42 U.S.C. § 1983 and requested in forma pauperis status. On March 22, 2006, two orders were entered in this action. One order directed the plaintiff to pay the required \$250.00 filing fee or file a completed in forma pauperis application, specifically the section entitled "Certificate to Be Completed by Authorized Officer" of prison accounts or file an affidavit specifically stating the name of the prison official contacted concerning the Certificate and why this information is not provided to this Court. The other order directed the plaintiff to sign and return to this Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4), within thirty days. The plaintiff failed to comply with both of the orders. The plaintiff was warned in these court orders that failure to timely comply with the requirements of the orders may lead to the dismissal of his complaint.

On May 19, 2006, an order was entered directing the plaintiff to show cause why this case should not be dismissed for his failure to comply with the Court's March 22, 2006 orders, within fifteen days. In addition, the plaintiff was directed to comply with both of the March 22, 2006 orders, within fifteen days. The plaintiff was warned in this Court order that his failure to timely comply with the requirements of the order would lead to the dismissal of his

complaint. The plaintiff has failed to comply with the Court's May 19, 2006 order. Accordingly, it is ORDERED:

(1) That within fifteen days of the date of this order, the plaintiff shall file a written response showing cause why this case should not be dismissed for his failure to comply with the Court's March 22, 2006 and May 19, 2006 orders;

(2) That plaintiff comply with the March 22, 2006 orders by:

(a) paying the required \$250.00 filing fee or by filing a completed in forma pauperis application, specifically the section entitled "Certificate to Be completed by Authorized Officer" of prison accounts or file an affidavit specifically stating the name of the prison official contacted concerning the Certificate and why this information is not provided to this court, within fifteen days of the date of this order; AND

(b) signing and returning to this Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4) within fifteen days of the date of this order.

(3) That failure to advise this court of a change of address or failure to timely comply with any order of this Court will be deemed as a purposeful delay and contumacious act by the plaintiff and will result in this cause being dismissed without prejudice and without further notice to the plaintiff.

THIS, the 22nd day of June, 2006.

s/James C. Sumner
UNITED STATES MAGISTRATE JUDGE